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6 Attorneys for Defendant
7 GreenPoint Mortgage Funding, Inc.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10 CARLOS H. PEREZ, individually, and on
11 behalf of the general public,

12 Plaintiff,

13 vs.

14 GMAC MORTGAGE US A CORPORATION,
a/k/a GMAC MORTGAGE, LLC, a Delaware
15 corporation; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., a
16 Delaware corporation; EXECUTIVE
TRUSTEES SERVICES, LLC, a Delaware
17 limited liability company; GREENPOINT
MORTGAGE FUNDING, INC., a New York
18 corporation; ANDRUS & ASSOCIATES,
INC., a California corporation; PAUL RAY
19 ANDRUS, individually and in his official
capacity; HOME COMINGS FINANCIAL,
20 LLC, a Delaware limited liability company;
COUNTRYWIDE HOME LOANS, INC., a
21 New York corporation; SOUTH PACIFIC
FINANCIAL CORPORATION, a California
22 corporation; RESIDENTIAL MORTGAGE
CAPITAL, d/b/a FIRST SECURITY LOAN, a
23 California corporation; JAMES JOHN
CHAPMAN, individually and in his official
24 capacity; LUIS G. BARRIOS, individually and
in his official capacity; ELIZABETH P.
25 CAMPOS, individually and in her official
capacity; and DOES I through 20, inclusive.,

26 Defendants.
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Case No.: 5:08-CV-01972-HRL

**STIPULATION AND PROPOSED
ORDER TO STRIKE PORTIONS OF
FIRST AMENDED COMPLAINT**

1 Plaintiff and defendant GreenPoint Mortgage Funding stipulate to striking the following
 2 from the First Amended Complaint:

- 3 1. Caption, the words: "and on behalf of general public"
- 4 2. Paragraph 310, the words: "and in his capacity as a private attorney general."
- 5 3. Paragraph 311, the words: "representative of" (line 25); and "group and a
 6 private attorney general on behalf of the general public and other" (lines 25-26).
- 7 4. Paragraph 314, the words: "and other unsophisticated Spanish speaking customers
 8 of the general public" (line 17); "and members of the general public" (line 19); and "and other
 9 members of the general public who were sold home loans by Defendants" (line 22).
- 10 5. Paragraph 316, the words: "and other members of the general public who were
 11 sold home loans by Defendant."
- 12 6. Paragraph 318, the words: "and other members of the general public" (line 8).
- 13 7. Paragraph 319, the words: "and members of the general public" (line 11); "if not
 14 millions" (line 11); "and other members of the general public" (line 12).
- 15 8. Paragraph 320, the words: "and members of the general public" (line 16).

16 IT IS SO STIPULATED.

17 DATED: June 9, 2008

CONSUMER LAW CENTER

19 By: /S/ Fred W. Schwinn

20 Attorney for Plaintiff
 21 Carlos H. Perez

22 DATED: June 9, 2008

SEVERSON & WERSON
 A Professional Corporation

24 By: /S/ Sunny S. Huo

26 Attorneys for Defendant
 27 GreenPoint Mortgage Funding

28 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
 "conformed" signature (/S/) within this filed document.

1 ITISSOORDERED.

2 DATED: _____

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Perez, et al. v. GMAC, et al.
Case No.: 5:08-CV-01972-HRL

PROOF OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of San Francisco, California; my business address is Severn & Werson, One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

On the date below I served a copy, with all exhibits, of the following document(s):

STIPULATION AND PROPOSED ORDER TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT

on all interested parties in said case addressed as follows:

John Hockhausler Locke Lord Bissell & Liddell LLP 300 South Grand Avenue Suite 800 Los Angeles, CA 90071	Balam O Letona Law Office of Balam O. Letona, Inc. Suite 203 1347 Pacific Avenue Suite 203 Santa Cruz, CA 95060-3940
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☒ **(BY MAIL)** By placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with the firm's practice of collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in San Francisco, California in sealed envelopes with postage fully prepaid.

☐ **(BY HAND)** By placing the documents in an envelope or package addressed to the persons listed above and providing them to a professional messenger service for delivery.

☐ **(BY FEDERALEXPRESS)** By depositing copies of the above documents in a box or other facility regularly maintained by Federal Express with the delivery fees paid or provided for.

☐ **(BY FAX)** By use of facsimile machine telephone number (415) 956-0439. If faxed a true copy to the addressee(s) listed above at the facsimile number(s) noted after the party's address. The transmission was reported as complete and without error. The attached transmission report, which sets forth the date and time for the transmission, was properly issued by the transmitting facsimile machine.

I declare under penalty of perjury under the law of the State of California that the foregoing is true and correct. This declaration is executed in San Francisco, California, on June 9, 2008.

/s/ C.L. Sloan
C.L. Sloan